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United Nations

Report of the Committee on the Peaceful Uses of Outer Space

General Assembly
Official Records • Fifty-first Session
Supplement No.20 (A/51/20)

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I. INTRODUCTION

1. The Committee on the Peaceful Uses of Outer Space held its thirty-ninth session at the United Nations Office at Vienna from 3 to 14 June 1996. The officers of the Committee were as follows:

Chairman: Peter Hohenfellner (Austria)

Vice-Chairman: Dumitru Mazilu (Romania)

Rapporteur: Edgard Telles Ribeiro (Brazil)

The verbatim unedited transcripts of the meetings of the Committee are contained in documents COPUOS/T.419-T.432.

Meetings of subsidiary bodies

2. The Scientific and Technical Subcommittee had held its thirty-third session at the United Nations Office at Vienna from 12 to 23 February 1996 under the chairmanship of Dietrich Rex (Germany). The report of the Subcommittee was issued as document A/AC.105/637.

3. The Legal Subcommittee had held its thirty-fifth session at the United Nations Office at Vienna from 18 to 28 March 1996 under the chairmanship of Václav Mikulka (Czech Republic). The report of the Subcommittee was issued as document A/AC.105/639. The summary records of the meetings of the Subcommittee are contained in documents A/AC.105/C.2/SR.589-597.

Adoption of the agenda

4. The view was expressed that the following items should be included in the provisional agenda before it was adopted: (a) election of officers as item 1 (a); (b) consideration of rules of procedure of the Committee on the Peaceful Uses of Outer Space as item 8 (a); and (c) working methods of the Committee on the Peaceful Uses of Outer Space, under item 9, "Other matters". The view was also expressed that, if the rules of procedure of the General Assembly applied to the Committee, then the Committee should proceed with the election of the Bureau as provided for in rule 103 of those rules of procedure (A/520/Rev.15).

5. The Chairman of the Committee stated that rule 161 of the rules of procedure of the General Assembly allowed a subsidiary organ to decide on its rules of procedure, which in the case of the Committee would mean that any addition of items would need to be done by consensus. He also stated that, pursuant to rule 97, the Committee should not include new items in its agenda on its own initiative; he therefore suggested that the agenda agreed upon by the General Assembly in its resolution 50/27 of 6 December 1995 should be adopted. Consideration of the items suggested for possible inclusion in the agenda of the Committee could be discussed substantively and thoroughly by the Committee under agenda item 9, "Other matters", and in the Working Group of the Whole on working methods.

6. Some delegations expressed the view that rule 97 referred to the distribution of items among the committees of the General Assembly and not to the adoption of the agenda. Those delegations noted that the relevant rules were rules 38 to 43 and in that regard, according to rule 40, the Bureau should,

at the beginning of each session, consider the provisional agenda, together with the supplementary list, and make recommendations to the General Assembly, with regard to each item proposed, concerning its inclusion in the agenda. Those delegations also noted that in accordance with rule 43, a member which had no representative on the Bureau and which had requested the inclusion of an item in the agenda should be entitled to attend any meeting of the Bureau at which its request was discussed. Those delegations further noted that according to rule 38, the Bureau should comprise a chairman and several vice-chairmen, and it should be so constituted as to ensure its representative character. In the view of those delegations, those provisions had been disregarded because the opinion of the Bureau had not been sought on the items proposed by one delegation and also because the Bureau of the Committee had not even been constituted.

7. At its opening meeting, the Committee adopted the following agenda:

1. Adoption of the agenda.

2. Statement by the Chairman.

3. General exchange of views.

4. Ways and means of maintaining outer space for peaceful purposes.

5. Report of the Scientific and Technical Subcommittee on the work of its thirty-third session.

6. Report of the Legal Subcommittee on the work of its thirty-fifth session.

7. Implementation of the recommendation of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space.

8. Spin-off benefits of space technology: review of current status.

9. Other matters.

10. Report of the Committee to the General Assembly.

8. The Chairperson of the Group of 77 expressed the view that the concept of rotation, equitable representation of the various geographical regions and transparency of the Bureau of the Committee and its subsidiary bodies should prevail in future elections, as was the case in other bodies in the United Nations system. The Chairman of the African Group had in that context submitted precise ideas concerning the modalities of implementation of the above principles. The two Groups, whose statements are attached to the report in annexes I and II, respectively, were of the view that those principles should be implemented as early as possible with an objective and constructive approach and in conformity with the rules of procedure of the General Assembly, and that the Secretariat should organize consultations among Member States with a view to preparing outlines and modalities of implementing those principles, including the terms of offices and composition of the bureaux.

9. Some delegations expressed the view that they were not aware of any provision that prevented States members of the Committee from amending or modifying its provisional agenda. They therefore sought the clarification of the Secretariat with regard to the interpretation of rule 97 of the rules of procedure of the General Assembly.

10. At the 420th meeting of the Committee, the Senior Legal Liaison Officer of the United Nations Office at Vienna stated that the meaning of rule 97 was clear: committees should not introduce new items on their own initiative. It was noted that the established practice of the Committee had been to recommend, by consensus, to the General Assembly for its approval additional items for inclusion in the respective agenda of the Committee and its subsidiary bodies.

11. The representative of the Asian Group expressed the view that not all members of the Asian Group were satisfied with the interpretation provided by the Senior Legal Liaison Officer of the United Nations Office at Vienna. On behalf of the Asian Group, he requested the Secretariat to refer the matter to the legal authorities at United Nations Headquarters. At the 421st meeting of the Committee, the Director of the Office for Outer Space Affairs read out the interpretation of rule 97 that had been provided by the Office of Legal Affairs at United Nations Headquarters, which confirmed the interpretation given by the Senior Legal Liaison Officer. At the request of interested delegations, the Secretariat distributed a conference room paper containing the text of the question, together with the corresponding reply, which can be found in annex III to the report of the Committee.

12. Some delegations expressed the view that they could not agree with the interpretation of the Secretariat. In their view, rule 97 only applied to categories of subjects and not to specific agenda items. In the view of those delegations, the question had been formulated incorrectly to the extent that rule 97 only applied to categories of subjects concerning the mandate of the Committee and not to questions of procedure as well as additional questions for the agenda. Other delegations expressed the view that the interpretation given by the Secretariat was in agreement with their interpretation and they expressed satisfaction with the current organization of work and working methods of the Committee.

Membership and attendance

13. In accordance with General Assembly resolutions 1721 E (XVI) of 20 December 1961, 3182 (XXVIII) of 18 December 1973, 32/196 B of 20 December 1977, 35/16 of 3 November 1980 and 49/33 of 9 December 1994 and decision 45/315 of 11 December 1990, the Committee on the Peaceful Uses of Outer Space was composed of the following Member States: Albania, Argentina, Australia, Austria, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chad, Chile, China, Colombia, Cuba, Czech Republic, Ecuador, Egypt, France, Germany, Greece, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Japan, Kazakstan, Kenya, Lebanon, Mexico, Mongolia, Morocco, Netherlands, Nicaragua, Niger, Nigeria, Pakistan, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Sierra Leone, South Africa, Spain, Sudan, Sweden, Syrian Arab Republic, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Viet Nam and Yugoslavia.

14. At its 419th and 427th meetings, the Committee decided to invite, at their request, the representatives of Azerbaijan, Democratic People's Republic of Korea, Guatemala, Holy See, Peru, Saudi Arabia, Slovakia, Thailand, United Arab Emirates, League of Arab States and Palestine to attend its thirty-ninth session and to address it, as appropriate, on the understanding that it would be without prejudice to further requests of that nature and that it would not involve any decision of the Committee concerning status.

15. Representatives of the International Atomic Energy Agency (IAEA) also attended the session.

16. Representatives of the Committee on Space Research (COSPAR) of the International Council of Scientific Unions (ICSU), the European Space Agency (ESA), the International Astronautical Federation (IAF) and the International Law Association (ILA) also attended the session.

17. A list of representatives attending the session is contained in document A/AC.105/XXXIX/INF/1.

Proceedings

18. At the 419th meeting, the Chairman of the Committee, in his opening statement, summarized the work of the subsidiary bodies of the Committee and outlined the work before the Committee. He stressed the need to increase international cooperation in the peaceful uses of outer space and to ensure that the benefits of such cooperation were shared by all countries and all peoples.

19. At the 420th meeting, the Director of the Office for Outer Space Affairs of the Secretariat made a statement reviewing the work of the Office during the previous year and the documentation before the Committee.

20. At its 419th to 422nd meetings, from 3 to 5 June 1996, the Committee held a general exchange of views, in the course of which statements were made by the representatives of Argentina, Austria, Brazil, Canada, Chile, China, Cuba, Ecuador, France, Germany, Hungary, India, Indonesia, Japan, Mexico, Morocco, Nigeria, Pakistan, Philippines, Republic of Korea, Romania, Russian Federation, South Africa, Spain, Sweden, Turkey, Ukraine, United Kingdom and United States.

21. The representatives of COSPAR, IAF and ILA, as well as the Director-General of the United Nations Office at Vienna and the Expert on Space Applications of the Office for Outer Space Affairs, also made statements. The Committee also heard special presentations by the National Aeronautics and Space Administration (NASA) on the Shuttle-Mir docking mission of November 1995, during which a video conference had taken place between the Secretary-General of the United Nations and the astronauts and cosmonauts on board, and by the Russian Space Agency on Russian activities on the space debris problem.

22. The delegation of Chile invited members of the Committee to view a special exhibition of the winning entries, and those entries that had received an honourable mention, of paintings submitted by children to a contest organized in Chile under the theme "Los niños de Chile miran al espacio y lo pintan". The contest had been organized by the Pro Tempore Secretariat of the Second Space Conference of the Americas and co-sponsored by the Office for Outer Space Affairs.

23. After considering the various items before it, the Committee, at its 432nd meeting, on 14 June 1996, adopted its report to the General Assembly containing the recommendations and decisions set out below.

II. RECOMMENDATIONS AND DECISIONS

A. Ways and means of maintaining outer space for peaceful purposes (agenda item 4)

24. In accordance with paragraph 41 of General Assembly resolution 50/27, the Committee on the Peaceful Uses of Outer Space continued its consideration, as a matter of priority, of ways and means of maintaining outer space for peaceful purposes.

25. The Committee was of the view that the request of the General Assembly, in its resolution 50/27, to the Committee to continue to consider that item as a matter of priority and to report thereon to the Assembly at its fifty-first session, showed the concern felt by the international community and the need to promote international cooperation in the peaceful uses of outer space, taking into account the needs of developing countries. The Committee, through its work in the scientific, technical and legal fields, had an important role to play in ensuring that outer space was maintained for peaceful purposes. It was the firm belief of the members of the Committee that current efforts should be continued that would strengthen the role of the Committee in maintaining outer space for peaceful purposes. The Committee had responsibilities relating to the strengthening of the international basis for the peaceful exploration and uses of outer space, which could cover, among other matters, further development of international space law, including, as appropriate, the preparation of international agreements governing various practical peaceful applications of space science and technology. Strengthening international cooperation in the peaceful exploration and use of outer space also implied the need for the Committee itself to improve, whenever necessary, the methods and forms of its work.

26. The view was expressed that international cooperation in outer space activities should be further strengthened through the promotion of transparency, exchange of data, equitable sharing of space benefits and confidence-building measures between developed and developing countries.

27. While recognizing the competence of the Conference on Disarmament on questions relating to the prevention of an arms race in outer space, some delegations expressed the view that the Committee should complement and contribute to the work being done in the Conference and in the First Committee of the General Assembly, considering that the peaceful and non-peaceful uses of outer space were inseparably linked and that the scope of that priority agenda item included such subjects as transparency and confidence-building measures. Those delegations expressed the view that the Committee should therefore be kept informed of the progress made by the Conference on such questions and that an adequate and practical mechanism of coordination should be established between the two bodies.

28. Other delegations expressed the view that the Committee had been created 37 years ago to address international cooperation in the peaceful uses of outer space, with a clear separation between its role and that of other United Nations forums dealing with disarmament, and that contacts between the Committee and disarmament bodies would be inappropriate. Those delegations expressed the view that the Committee should contribute to maintaining outer space for peaceful purposes by strengthening the scientific and technical content of its work, by promoting broader and deeper international cooperation between all countries in outer space activities, especially in the fields of disaster warning and

mitigation, and global search-and-rescue activities, and by revitalizing its work and that of its subcommittees.

29. The view was expressed that the Committee should continue to encourage the use of outer space in a manner conducive to international peace, safety and security. That delegation expressed the view that the existing legal regime governing outer space activities could be examined to determine if it should be modernized by, for example, adopting standards and practices that could further enhance fields of interaction between Member States. That delegation offered the following questions that could be used for such an examination:

(a) Is the existing international legal regime for space activities sufficient to ensure peace, law and order in space currently, in the near future and in the long term?

(b) What new international legal and other measures could be adopted with a view to maintaining space for peaceful purposes and to creating more favourable conditions for the peaceful exploration and use of outer space?

(c) Is there a requirement for the modification of existing legal instruments or is there a need for the elaboration of new instruments? If so, in what areas?

B. Report of the Scientific and Technical Subcommittee on the work of its thirty-third session (agenda item 5) and implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space (agenda item 7)

30. The Committee considered jointly agenda item 5, "Report of the Scientific and Technical Subcommittee on the work of its thirty-third session", and agenda item 7, "Implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space".

1. Report of the Scientific and Technical Subcommittee on the work of its thirty-third session

31. The Committee took note with appreciation of the report of the Scientific and Technical Subcommittee on the work of its thirty-third session (A/AC.105/637), covering the results of its deliberations on the items assigned to it by the General Assembly in resolution 50/27.

2. Implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space

(a) Working Group of the Whole to Evaluate the Implementation of the Recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space

32. The Committee noted with satisfaction that, in accordance with General Assembly resolution 50/27, the Subcommittee had given priority consideration to its agenda item on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space

(UNISPACE 82) 1/ and had re-established, under the chairmanship of Muhammad Nasim Shah (Pakistan), the Working Group of the Whole to Evaluate the Implementation of the Recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space.

33. The Committee noted with satisfaction that a number of reports related to the recommendations of UNISPACE 82 had been prepared in accordance with the recommendations of the Working Group of the Whole at its ninth session, held in 1995 (A/AC.105/605, annex II), which had been endorsed by the General Assembly in paragraph 20 of resolution 50/27. The Committee also noted that further studies and reports would be prepared in accordance with the recommendations of the Working Group of the Whole at its tenth session, held in 1996.

34. The Committee noted that the Working Group of the Whole had reviewed the implementation of the recommendations of UNISPACE 82, concluded that many of them had not been fully implemented and made a number of recommendations concerning the further implementation of the recommendations of the Conference. The Committee endorsed the recommendations of the Working Group of the Whole at its tenth session, contained in the report of the Scientific and Technical Subcommittee on the work of its thirty-third session (A/AC.105/637, annex II). The Committee noted the view of the Working Group that the United Nations Programme on Space Applications should be given the full support of the United Nations in order to implement fully the recommendations of UNISPACE 82. That recommendation had been made on the understanding that the Office for Outer Space Affairs would give priority to the full implementation of the Programme within the available resources of its regular budget (A/AC.105/637, annex II, para. 13 (c)).

35. The Committee recommended that the Working Group of the Whole should be reconvened at the thirty-fourth session of the Scientific and Technical Subcommittee to continue its work.

36. The Committee, while expressing its appreciation to all Governments that had made or expressed their intention of making contributions for the implementation of the recommendations of UNISPACE 82, took note of the disappointment expressed by representatives of developing countries at the lack of financial resources to implement those recommendations fully.

(b) United Nations Programme on Space Applications

37. At the outset of the deliberations of the Committee on that item, the Expert on Space Applications reviewed the activities carried out and planned under the United Nations Programme on Space Applications during the period 1995-1997. The Committee expressed its appreciation to the Expert for the effective manner in which he had implemented the Programme within the limited funds at his disposal.

38. The Committee continued to express its concern over the still limited financial resources available for carrying out the Programme particularly in view of budget reductions resulting from the current financial crisis of the United Nations, and appealed to Member States to support the Programme through voluntary contributions. The Committee felt that the limited resources of the United Nations should be focused on the highest-priority activities and noted that the Programme was the priority activity of the Office for Outer Space Affairs.

39. The Committee took note of the activities of the Programme as set out in the report of the Scientific and Technical Subcommittee (A/AC.105/637, paras. 26-36). It was pleased to note that further progress was being made in the implementation of activities of the Programme planned for 1996.

(i) United Nations workshops, training courses and seminars

40. With regard to the United Nations workshops, training courses and seminars for 1996, the Committee expressed its appreciation to the following:

(a) The Government of Sri Lanka, and ESA, for co-sponsoring the Fifth United Nations/European Space Agency Workshop on Basic Space Science: from Small Telescopes to Space Missions, held at Colombo from 11 to 14 January 1996;

(b) The Government of the United States, for co-sponsoring the United Nations/United States of America International Conference on Spin-off Benefits of Space Technology: Challenges and Opportunities, held at Colorado Springs, United States, from 9 to 12 April 1996;

(c) The Government of the Philippines and ESA, for co-sponsoring the United Nations/European Space Agency Workshop on Microwave Remote Sensing Applications, held at Manila from 22 to 26 April 1996;

(d) The Government of Sweden, for co-sponsoring the Sixth United Nations/Sweden International Training Course on Remote Sensing Education for Educators, held at Stockholm from 6 May to 14 June 1996;

(e) The Government of Chile and ESA, for co-sponsoring the United Nations/Chile/European Space Agency Regional Workshop on Space Technology for Prevention and Mitigation of the Effects of Disasters, held at Santiago from 1 to 5 July 1996;

(f) The Government of Austria, the Province of Styria, the City of Graz and ESA, for co-sponsoring the United Nations/Austria/European Space Agency/European Commission Symposium on Space Technology Applications for the Benefit of Developing Countries, held at Graz, Austria, from 9 to 12 September 1996;

(g) The Government of Germany and ESA, for co-sponsoring the Sixth United Nations/European Space Agency Workshop on Basic Space Science, held at Bonn, from 9 to 13 September 1996;

(h) The Government of Spain and ESA, for co-sponsoring the United Nations/Instituto Nacional de Técnica Aeroespacial/European Space Agency International Conference on Small Satellite Missions, held at Madrid, from 9 to 13 September 1996;

(i) The Government of China, ESA and IAF, for co-sponsoring the United Nations/International Astronautical Federation/European Space Agency Workshop on Education and Awareness: Space Technology and Applications in the Developing World, to be held at Beijing from 3 to 6 October 1996;

(j) The Government of South Africa and ESA, for co-sponsoring the Second United Nations Regional Conference on Space Technology for Sustainable Development in Africa, to be held in South Africa from 4 to 8 November 1996.

41. The Committee endorsed the programme of United Nations workshops, training courses and seminars proposed for 1997, as outlined by the Expert on Space

Applications in his report (A/AC.105/625, para. 35), and recommended those activities for approval by the General Assembly. The Committee noted the plans for the following activities:

(a) The Seventh United Nations/Sweden International Training Course on Remote Sensing Education for Educators;

(b) The Second United Nations Workshop on Payloads on Small Satellites;

(c) The United Nations International Training Course on Communications and Information Technology for Development;

(d) The Fourth United Nations/European Space Agency Training Course on European Remote Sensing Data Applications;

(e) The Second United Nations Conference on Spin-off Benefits of Space Exploration.

42. The Committee noted with appreciation financial contributions of US$ 20,000 from the Government of Austria, US$ 8,000 from the Government of Pakistan, US$ 40,000 from the Government of Spain, US$ 35,000 from the Government of the United States and US$ 130,000 from ESA in support of the 1996 activities of the United Nations Programme on Space Applications. The Committee noted that other Member States were planning to make contributions. It noted with appreciation the provision, by host countries and other countries, of experts as instructors and speakers in the activities of the United Nations Programme on Space Applications. It also noted the financial and other assistance provided to the Programme by the Department for Development Support and Management Services and the Department of Humanitarian Affairs of the Secretariat, United Nations Environment Programme, United Nations Educational, Scientific and Cultural Organization, International Telecommunication Union, European Commission, European Space Agency, GlobalStar, Inter-American Development Bank, International Astronomical Union, International Centre for Theoretical Physics, International Federation of Red Cross and Red Crescent Societies, International Mobile Satellite Organization, International Telecommunications Satellite Organization, Nuova Telespazio, the Planetary Society and Volunteers in Technical Assistance.

(ii) Long-range fellowships for in-depth training

43. The Committee expressed appreciation to the Governments of Brazil and China, as well as to ESA, for offering fellowships through the United Nations in the period 1995-1996 and for renewing their offers of fellowships for the period 1996-1997.

(iii) Technical advisory services

44. The Committee noted that the Programme had provided or would provide the following technical advisory services: to the Government of Ecuador, in promoting the regional operation, administration and funding of the satellite ground receiving station at Cotopaxi, Ecuador; to the Government of Chile, in following up, as pro tempore secretariat, the recommendations of the Second Space Conference of the Americas; and to the Government of the Republic of Korea, in establishing the Asia-Pacific Satellite Communications Council.

45. The Committee also noted that the Programme was collaborating with ESA on the consideration of a satellite-based cooperative information network linking

scientists, educators, professionals and decision makers in Africa (COPINE), and with the Department for Development Support and Management Services and ESA on follow-up activities related to implementation of the recommendations of the United Nations/European Space Agency Training Course for Asia and the Pacific Countries on Applications of the European Remote Sensing Satellite Data to Natural Resources, Renewable Sources of Energy and the Environment, held at Frascati, Italy, from 13 to 24 November 1995.

(iv) Regional centres for space science and technology education

46. The Committee welcomed the information on the establishment of the regional centres for space science and technology education, as reflected in the report of the Expert on Space Applications (A/AC.105/625, paras. 3-18 and annex I) and requested Member States and space-related organizations to provide voluntary cash and in-kind contributions to support that effort.

47. The Committee noted with satisfaction that the General Assembly, in paragraph 30 of resolution 50/27, had endorsed the recommendation made by the Committee at its thirty-eighth session 2/ that those centres be established on the basis of affiliation to the United Nations as early as possible, as such affiliation would provide the centres with the necessary recognition and would strengthen the possibilities of their attracting donors and of establishing academic relationships with national and international space-related institutions.

48. The Committee recommended that the United Nations, through the Office for Outer Space Affairs, should continue to provide all necessary support, within the limits of its existing resources, to the centres.

49. The Committee noted that the Centre for Space Science and Technology Education in Asia and the Pacific had been inaugurated in India in November 1995, that participation in the Governing Board of the Centre and in its activities would be open to Member States in the region and that, in due course and upon approval by its Governing Board, the Centre would grow into a network of nodes enabling it to utilize fully the resources and potential of the region. The Committee noted with satisfaction that the first education programme of the Centre had begun in April 1996.

50. Some delegations expressed their concern about the procedural and substantial problems related to the establishment of the Centre for the region of Asia and the Pacific. Those delegations stated that since there were serious differences on matters of principle in relation to the establishment of the Centre, and since the growth of the Centre into a network of nodes was an objective that had not been realized, it was necessary to carry out further consultations so that a fair and reasonable solution could be achieved.

51. Other delegations stated that during the entire process leading to the establishment of the Centre, both the Subcommittee and the Committee had been kept fully informed, and that all necessary steps had been taken to ensure transparency. They pointed out that the appropriate forum for making proposals relating to the functioning of the Centre was the Governing Board of the Centre, as only it could decide on matters such as the establishment of nodes and the relationship that the Centre should have with other international bodies.

52. The Committee noted that an amendment to the agreement establishing the Centre for Space Science and Technology Education in Asia and the Pacific,

proposed by the delegation of the Islamic Republic of Iran, was under consideration by the Governing Board of the Centre.

53. The Committee noted that Brazil and Mexico had informed the General Assembly, at its fiftieth session, that they were nearing agreement on all aspects relating to the establishment of the Centre for Space Science and Technology Education in Latin America and the Caribbean. The Brazilian and Mexican delegations noted that the necessary coordination between the United Nations entities that were involved in the matter and the host countries was taking place on the basis of affiliation to the United Nations as recommended in General Assembly resolution 50/27, which would accelerate and further expedite the establishment of the Centre.

54. The Committee noted that the offers and commitments of Morocco and Nigeria favoured the early establishment, operation and long-term sustainability of a centre for space science and technology education in Morocco for French-speaking African countries and such a centre in Nigeria for English-speaking African countries. The Committee also noted that both countries were finalizing cooperation agreements that would be entered into by the Member States concerned later in 1996.

55. The Committee noted that discussions were in progress with the parties concerned on the establishment of a centre for space science and technology education in western Asia. The Committee also noted that Jordan, Saudi Arabia and the Syrian Arab Republic had indicated their interest in hosting such a centre in the region covered by the Economic and Social Commission for Western Asia.

56. The Committee noted that the delegations of Bulgaria, Czech Republic, Greece, Hungary, Poland, Romania and Turkey, having informally consulted among themselves, had reiterated their agreement, as reflected in paragraph 54 of the report of the thirty-third session of the Scientific and Technical Subcommittee, to establish an educational system consisting of a network of space science and technology education institutions, and that the activities of each member of the network would be in harmony with existing institutions in Europe and open to international cooperation. Those delegations also agreed that a group of experts should be established under the aegis of the Office for Outer Space Affairs in order to prepare a technical study for an agreed framework and modalities of such a network. The first meeting of that group might be convened preferably before the thirty-fourth session of the Scientific and Technical Subcommittee, to be held in February 1997.

57. The Committee noted that a COPINE project (see para. 45 above) would offer an excellent opportunity to develop space applications for Africa and that the proposed system would allow for the exchange of information needed to promote progress in health care, agriculture, education, science and technology, and the management and monitoring of natural resources and the environment.

(v) Promotion of greater cooperation in space science and technology

58. Regarding the promotion of greater cooperation in space science and technology, the Committee noted with satisfaction that the United Nations Programme on Space Applications was co-sponsoring the following:

(a) Together with the Government of Austria, the Province of Styria, the City of Graz and ESA, the United Nations/Austria/ESA European Commission

Symposium on Space Technology Applications for the Benefit of Developing Countries, held at Graz, Austria, in September 1996;

(b) Together with the Government of China, ESA and IAF, the United Nations/IAF/ESA Workshop on Education and Awareness: Space Technology and Applications in the Developing World, to be held at Beijing in October 1996;

(c) The thirteenth congress of the International Society for Photogrammetry and Remote Sensing (ISPRS), held at Vienna from 9 to 19 July 1996;

(d) The Thirty-first Scientific Assembly of the Committee on Space Research, held at Birmingham, United Kingdom, from 14 to 20 July 1996.

(c) International space information service

59. With regard to the international space information service, the Committee noted with satisfaction the publication of the seventh volume of "Seminars of the United Nations Programme on Space Applications: selected papers on remote sensing, satellite communications and space science" (A/AC.105/621), containing papers from the seminars, workshops and training courses of the 1995 activities of the United Nations Programme on Space Applications; and "Highlights in space: progress in space science, technology and applications, international cooperation and space law" (A/AC.105/618), based on annual reports prepared by COSPAR and IAF, as well as input submitted to the Scientific and Technical Subcommittee by the International Institute of Space Law.

60. The Committee noted with satisfaction the steps taken by the Office for Outer Space Affairs to augment its international space information service through the development of a database capability and a "home page" on the Internet, through which a wide range of information regarding the space-related activities of the United Nations, particularly those of the Committee and the United Nations Programme on Space Applications, could be accessed. The Committee also noted that the Office for Outer Space Affairs was cooperating with the German Space Agency (DARA) in the establishment of a computer-based international space information service.

(d) Coordination of space activities within the United Nations system and inter-agency cooperation

61. With regard to the coordination of outer space activities within the United Nations system and inter-agency cooperation, the Committee noted that the General Assembly, in paragraph 27 of resolution 50/27, had requested all organs, organizations and bodies of the United Nations system to cooperate in the implementation of the recommendations of UNISPACE 82.

62. The Committee also noted with appreciation that the Scientific and Technical Subcommittee, at its thirty-third session, had continued to stress the necessity of ensuring continuous and effective consultations and coordination in the field of outer space activities among organizations within the United Nations system (A/AC.105/637, para. 42). The Committee noted with satisfaction that the seventeenth Inter-Agency Meeting on Outer Space Activities had been held at Vienna from 7 to 9 February 1996 (A/AC.105/630) and that a report on the coordination of outer space activities within the United Nations system had been submitted to the Scientific and Technical Subcommittee (A/AC.105/631). The Committee also noted with appreciation that the eighteenth Inter-Agency Meeting on Outer Space Activities would be held at Vienna in May 1997.

63. The Committee noted with appreciation that representatives of United Nations bodies, the specialized agencies and other international organizations had participated in all stages of its work and of that of the Subcommittee. The Committee found that the reports submitted by those bodies helped to enable it and its subsidiary bodies to fulfil their role as a focal point for international cooperation in space, especially with respect to the practical applications of space science and technology in developing countries.

(e) Regional and interregional cooperation mechanisms

64. Regarding regional and interregional cooperation mechanisms, the Committee noted with satisfaction that, pursuant to paragraph 24 of General Assembly resolution 50/27, and the recommendations of UNISPACE 82, the Secretariat had continued to seek to strengthen regional mechanisms of cooperation by organizing regional workshops and training courses as part of the United Nations Programme on Space Applications and by providing technical assistance for regional activities and conferences in Africa, Asia and the Pacific, and Latin America and the Caribbean, as well as by promoting the establishment of regional centres for space science and technology education.

65. The Committee noted the contributions made by other international organizations towards the implementation of the recommendations of UNISPACE 82. In particular, the Committee noted that the specialized agencies of the United Nations were continuing their activities in the areas of space applications within their respective mandates; COSPAR, IAF, ILA and ISPRS were continuing to promote international cooperation and exchange of information relating to space activities; and ESA was continuing its programme of international cooperative space activities, including training programmes for the benefit of developing countries, support of the activities of the United Nations Programme on Space Applications and technical assistance programmes.

66. The Committee noted that the Ministerial Conference on Space Applications for Development in Asia and the Pacific, held at Beijing in 1994, had resulted in the establishment of the Action Plan on Space Applications for Sustainable Development in Asia and the Pacific. The Committee also noted that, as follow-up to the Action Plan, a meeting of the working group for Asia and the Pacific on the utilization of meteorological satellites in disaster monitoring and a regional meeting to establish a working group for the region on satellite communications had been held at Beijing and Jakarta, respectively, in 1996. The Committee noted the establishment of the Asia-Pacific Satellite Communications Council to serve as a regional forum to promote exchanges of information and cooperation in the field of satellite communications and broadcasting and agreed that the establishment of that organization would facilitate the expansion of regional cooperation. In that regard, the Committee also noted that the Republic of Korea had hosted the Third Asia-Pacific Conference on Multilateral Cooperation in Space Technologies and Applications, at Seoul, from 27 to 31 May 1996. The Committee took note of the Santiago Declaration, 3/ adopted by the Second Space Conference of the Americas, held at Santiago in 1993, and agreed that it constituted an important instrument in the promotion of international cooperation in the exploration and use of outer space. The Committee noted with satisfaction the declared intention of the Government of Uruguay to host the Third Space Conference of the Americas at Punta del Este from 4 to 8 November 1996, which would further promote cooperation in the region. The Committee also noted that the Governments of Mexico and seven States in Central America had entered into a cooperation agreement that included provisions for long-distance education via satellite.

3. Matters relating to remote sensing of the Earth by satellites, including, inter alia, applications for developing countries

67. The Committee noted that, in accordance with General Assembly resolution 50/27, the Scientific and Technical Subcommittee had given priority consideration to matters relating to remote sensing of the Earth by satellites.

68. The Committee noted that the Middle East and African Remote Sensing International Symposium on Space Remote Sensing for the Environment had been held at Ifrane, Morocco, in 1995. It also noted the importance, particularly for developing countries, of sharing experiences and technologies, of cooperating through international and regional remote sensing centres and of working jointly on collaborative projects. It recognized that remote sensing activities should take into account the need to provide appropriate and non-discriminatory access to meet the needs of developing countries.

69. The Committee recognized the importance of ongoing international efforts to ensure the continuity, compatibility and complementarity of systems for remote sensing of the Earth and to promote cooperation through regular meetings of satellite operators, ground-station operators and users. It also noted the value of remote sensing systems for environmental monitoring and stressed the need for the international community to utilize remote sensing data in an effort to implement fully the recommendations contained in Agenda 21, 4/ adopted by the United Nations Conference on Environment and Development, held at Rio de Janeiro, Brazil, from 3 to 14 June 1992.

70. The Committee emphasized the importance of making remote sensing data and analysed information available to all countries at reasonable cost and in a timely manner. It also recognized the example of international cooperation in the World Meteorological Organization in the exchange of meteorological data as provided for in World Meteorological Congress resolution 11.4/1 of 21 June 1995. Some delegations called attention to the international cooperation provided by some States by freely providing meteorological satellite data, and encouraged those States to continue that practice.

71. The Committee noted that the Scientific and Technical Subcommittee, at its thirty-third session, recalling General Assembly resolution 41/65 of 3 December 1986, by which the Assembly had adopted the Principles Relating to Remote Sensing of the Earth from Outer Space, had recommended continuing, at its thirty-fourth session, its discussion on remote sensing activities conducted in accordance with those Principles (A/AC.105/637, para. 67). The Committee endorsed that recommendation.

72. The Committee also endorsed the recommendation of the Scientific and Technical Subcommittee that the item should be retained on the agenda of the Subcommittee as a priority item for its thirty-fourth session (A/AC.105/637, para. 68).

4. Use of nuclear power sources in outer space

73. The Committee noted that, in accordance with General Assembly resolution 50/27, the Scientific and Technical Subcommittee had continued its consideration, on a priority basis, of the item relating to the use of nuclear power sources in outer space.

74. The Committee also noted that, in accordance with the same resolution the Subcommittee had reconvened the Working Group on the Use of Nuclear Power Sources in Outer Space to enable it to resume its work.

75. The Committee recalled that the General Assembly had adopted the Principles Relevant to the Use of Nuclear Power Sources in Outer Space, as contained in its resolution 47/68 of 14 December 1992. While noting that the Principles provided that they should be reopened for review and revision by the Committee no later than two years after their adoption, the Committee recalled that, at its thirty-eighth session, it had agreed that the Principles should remain in their current form until amended and that, before amendment, proper consideration should be given to the aims and objectives of any proposed revision.

76. The Committee agreed with the Scientific and Technical Subcommittee that, at the present time, revision of the Principles was not warranted (A/AC.105/637, para. 70).

77. The Committee also agreed that regular discussions on the issue should continue at future sessions and that the Subcommittee and the Working Group should continue to receive the widest input on matters affecting the use of nuclear power sources in outer space and any contribution related to improving the scope and application of the Principles.

78. The Committee noted that the General Assembly, in paragraph 21 of resolution 50/27, had invited Member States to report to the Secretary-General on a regular basis with regard to national and international research concerning the safety of nuclear-powered satellites. The Committee expressed appreciation to the Member States that had submitted such information.

79. The Committee agreed with the Scientific and Technical Subcommittee that Member States should continue to be invited to report to the Secretary-General on a regular basis with regard to national and international research concerning the safety of space objects with nuclear power sources, including studies on the issue of the collision of orbiting space objects with nuclear power sources on board with space debris, and that the Subcommittee should be kept informed of the results of such studies.

80. The Committee noted that a working paper on the interpretation and development of the safety principles for nuclear power sources in space (A/AC.105/C.1/L.203) had been submitted to the Subcommittee by the United Kingdom and that a working paper on the problem of collisions between nuclear power sources in space and space debris had been submitted by the Russian Federation (A/AC.105/C.1/L.204). The Committee noted that a variety of views had been expressed on those working papers. Those views were elaborated on and reiterated during the thirty-ninth session of the Committee.

81. The Committee considered that the participation of representatives of IAEA was a useful contribution to the work of the Committee and that such participation was desirable for future sessions of the Committee and its subsidiary bodies.

82. The view was expressed in support of the statement made by IAEA which emphasized that it was important that the safety principles for nuclear power sources in outer space should be consistent with the most recent international recommendations on radiation protection, which were based on the International Basic Safety Standards for Protection against Ionizing Radiation and for the

Safety of Radiation Sources, adopted jointly by ILO, FAO, IAEA, OECD (Nuclear Energy Agency and Pan American Health Organization.

83. Mindful of the differences in the safety principles applied for space and the safety standards for terrestrial systems, the Committee noted that the study of those developments, arising from the latest International Commission on Radiological Protection (ICRP) recommendations, should be continued.

84. The Committee endorsed the recommendation of the Scientific and Technical Subcommittee that the item should be retained on the agenda for the thirty-fourth session of the Subcommittee and that the time allocated to the topic in both the Working Group and the Subcommittee should be adjusted as appropriate.

5. Space debris

85. The Committee noted that, in accordance with General Assembly resolution 50/27, the Scientific and Technical Subcommittee had continued its consideration of the agenda item on space debris on a priority basis.

86. The Committee agreed with the Scientific and Technical Subcommittee that consideration of space debris was important and that international cooperation was needed to further develop appropriate and affordable strategies to minimize the potential impact of space debris on future space missions. It also agreed with the Subcommittee that it could be desirable to compile information on various steps taken by space agencies for reducing the growth or damage potential of space debris and to encourage common acceptance by the international community, on a voluntary basis. The Committee noted with appreciation the report prepared by the Secretariat on that subject (A/AC.105/620) and endorsed the recommendation of the Subcommittee (A/AC.105/637, para. 84) that that report should be updated annually.

87. The Committee agreed that, in accordance with paragraph 37 of General Assembly resolution 50/27, it was essential that Member States pay more attention to the problem of collisions of space objects, including those with nuclear power sources, with space debris, and other aspects of space debris. The Committee noted that the Assembly, in the same paragraph, had called for the continuation of national research on that question, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on space debris and had considered that, to the extent possible, information thereon should be provided to the Scientific and Technical Subcommittee.

88. The Committee agreed that there was a need for further research concerning space debris, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on the subject. The Committee also noted the importance of international cooperation in addressing those issues.

89. The Committee agreed that national research on space debris should continue and that Member States should make the results of that research available to all interested parties. In that connection, the Committee took note of the information on national research (A/AC.105/619 and Add.1) submitted by Member States pursuant to a request of the Secretary-General.

90. The Committee took note of the working paper on the work prepared by Russian scientists on the problem of the technogenic pollution of near space (A/AC.105/C.1/L.205), submitted to the Scientific and Technical Subcommittee by the Russian Federation, and the scientific and technical presentations on the subject of space debris made to the Subcommittee by France, Germany, United Kingdom and United States and by ESA.

91. The Committee noted the programmes of Member States and organizations on the acquisition and understanding of data on the characteristics of the space debris environment and on measuring, modelling and mitigating the orbital debris environment, as reflected in the report of the Subcommittee (A/AC.105/637, para. 85).

92. The Committee also noted that cooperation continued through the Inter-Agency Orbital Debris Coordination Committee (IADC), with the participation of NASA, ESA, the Science and Technology Agency, National Space Development Agency (STA/NASDA), the Russian Space Agency, the Chinese Space Agency, the Indian Space Research Organization (ISRO), le Centre national d'études spatiales (CNES) and the United Kingdom to enable its members to exchange information on space debris activities, facilitate opportunities for cooperation in space debris research, review the progress of ongoing activities and identify debris mitigation options. The Committee agreed with the Scientific and Technical Subcommittee that IADC should be invited to give a presentation to the Subcommittee at its thirty-fourth session (A/AC.105/637, para. 87).

93. The Committee agreed with the Scientific and Technical Subcommittee that it was important to have a firm scientific and technical basis for future action on the complex attributes of space debris and that the Subcommittee should focus on understanding aspects of research related to space debris, including debris measurement techniques; mathematical modelling of the debris environment; characterization of the space debris environment; and measures to mitigate the risks of space debris, including spacecraft design measures to protect against space debris (A/AC.105/637, paras. 94-95). The Committee noted with satisfaction that the Subcommittee had conducted its work based on the multi-year work plan, which the Subcommittee had adopted at its thirty-second session to address specific topics relating to space debris to be covered during the period 1996-1998.

94. The Committee noted with satisfaction the work of the Scientific and Technical Subcommittee on the topic of measurements of space debris (A/AC.105/637, paras. 97-137), which concentrated on the current stage of the multi-year work plan, i.e. measurements of space debris, and would be followed in the coming years by the sections on modelling of the space debris environment, risk assessment and debris mitigation measures. The Committee noted that the content of the technical report for 1996 was still subject to possible technical changes and amendments that would be adopted by the Subcommittee at its thirty-fourth session. It also noted that the Subcommittee's technical report on space debris would be updated each year, leading to an accumulation of advice and guidance, in order to establish a common understanding that could serve as the basis for further deliberations of the Committee on the matter. The Committee agreed that the multi-year work plan should continue to be implemented with flexibility in order to address all relevant issues on space debris.

95. The view was expressed that, in the technical report on space debris, section 3.1.3, entitled "De-orbiting and re-orbiting of space objects", should

also take into consideration the de-orbiting and re-orbiting of inactive objects that were in Earth orbit had no fuel or other means on board to speed up their decay. In the view of that delegation, space research in that area should be encouraged through direct appeals to international scientific organizations such as COSPAR, IADC or IAF. Other delegations expressed the view that a recommendation by the Committee offering technical guidance to the Scientific and Technical Subcommittee was unwarranted and that the Committee should await the final report prepared by the Subcommittee.

96. Some delegations expressed the view that international cooperation should be encouraged with regard to the exchange of catalogues of space objects, including a detailed description of their content and format. In the view of those delegations, that exchange would eventually lead to the creation of a uniform international catalogue of space objects. Those delegations believed that such a catalogue would enable the planning of launches and exploitation of spacecraft with minimum collision risk.

97. Some delegations expressed the view that every user of the geostationary orbit should plan to remove its space object from the orbit after its work was completed, thereby eliminating a source of danger to other users of outer space. The view was also expressed that the Committee should recommend to ITU that, in assigning positions in the geostationary orbit, consideration should be taken of the willingness of a particular Government to remove the satellite from the geostationary orbit after its useful lifetime.

98. The view was also expressed that the "launcher pays principle", similar to the "polluter pays principle" in global environmental issues, should be adopted as one of the fundamental elements of a legal regime aimed at reducing space debris, and that when the principle was adopted and applied, the launcher would pay a fee which could be used for joint research activities to reduce the space debris.

99. The Committee heard a special technical presentation by a representative of the Russian Space Agency on the activities of the Russian Federation with regard to the problem of space debris, including observation, modelling, spacecraft protection and space debris reduction.

100. The Committee agreed that the Scientific and Technical Subcommittee should continue consideration of space debris, as a priority item, at its next session.

6. Space transportation systems

101. The Committee noted that, in accordance with General Assembly resolution 50/27, the Subcommittee had continued its consideration of the item relating to space transportation systems and their implications for future activities in space.

102. The Committee took note of the progress being achieved in the various programmes in operation or being planned by China, India, Japan, Russian Federation, Ukraine, United Kingdom and United States, and by ESA.

103. The Committee stressed the importance of international cooperation in space transportation in order to provide all countries with access to the benefits of space science and technology. It also took note of recent developments in the launch vehicle industry.

104. The Committee endorsed the recommendation of the Subcommittee that it should continue its consideration of the item at its next session.

7. Examination of the physical nature and technical attributes of the geostationary orbit; examination of its utilization and applications, including, inter alia, in the field of space communications, as well as other questions relating to space communications developments, taking particular account of the needs and interests of developing countries

105. The Committee noted that, in accordance with General Assembly resolution 50/27, the Subcommittee had continued its consideration of the item relating to the geostationary orbit and space communications.

106. It noted that delegations had reiterated and elaborated on the views concerning the geostationary orbit that had been expressed at earlier sessions and had been reflected in earlier reports of the Committee and its two subcommittees.

107. The Committee expressed its appreciation to ITU for submitting its thirty-fifth annual progress report on telecommunication and the peaceful uses of outer space (A/AC.105/634).

108. The Committee endorsed the recommendation of the Subcommittee that it should continue its consideration of the item at its next session.

8. Matters relating to life sciences, including space medicine; progress in national and international space activities related to the Earth environment, in particular progress in the geosphere-biosphere (global change) programme; matters relating to planetary exploration; and matters relating to astronomy

109. The Committee noted that, in accordance with General Assembly resolution 50/27, the Subcommittee had continued to consider the items concerning matters relating to life sciences, including space medicine; progress in national and international space activities related to the Earth environment, in particular progress in the geosphere-biosphere (global change) programme; matters relating to planetary exploration; and matters relating to astronomy.

110. The Committee noted with satisfaction the wide variety of space activities being undertaken in those areas and the extensive international cooperation in those activities, as reflected in the report of the Subcommittee (A/AC.105/637, paras. 175-176). It encouraged further cooperation in those areas and, in particular, further efforts to increase the participation of developing countries.

111. The Committee agreed that it could make an important contribution in the area of environment and development by promoting international cooperation in the applications of space technologies for environmental monitoring and sustainable development. In particular, the Committee agreed that the United Nations Programme on Space Applications could play an important role in assisting developing countries in strengthening their capabilities in related space technologies and applications, particularly in reducing poverty and

enhancing rural development, taking into consideration women's rights through its education, training and technical advisory activities.

112. The Committee endorsed the recommendation of the Subcommittee that it should continue its consideration of the item at its next session.

9. Themes fixed for special attention at the thirty-third and thirty-fourth sessions of the Scientific and Technical Subcommittee

113. The Committee noted that, in accordance with General Assembly resolution 50/27, the Subcommittee had considered the theme fixed for special attention at the thirty-third session of the Scientific and Technical Subcommittee in 1996: "Utilization of micro- and small satellites for the expansion of low-cost space activities, taking into account the special needs of developing countries".

114. The Committee noted with satisfaction that, in accordance with General Assembly resolution 50/27, COSPAR and IAF had conducted a symposium on the theme. The Committee expressed appreciation to COSPAR and IAF for their generous support of the work of the Subcommittee.

115. The Committee endorsed the recommendation of the Scientific and Technical Subcommittee that the new theme fixed for special attention at the thirty-fourth session of the Subcommittee, in 1997, should be "Space systems for direct broadcasting and global information systems for space research". It also endorsed the recommendation of the Subcommittee that COSPAR and IAF, in liaison with Member States, should be invited to arrange a symposium on that theme, with as wide participation as possible, to be held during the first week of the thirty-fourth session of the Subcommittee, in order to complement discussions within the Subcommittee on the special theme.

116. The Committee noted with appreciation the summary of the scientific and technical presentations made during the thirty-third session of the Scientific and Technical Subcommittee (A/AC.105/638).

C. Report of the Legal Subcommittee on the work of its thirty-fifth session (agenda item 6)

117. The Committee took note with appreciation of the report of the Legal Subcommittee on the work of its thirty-fifth session (A/AC.105/639), which contained the results of its deliberations on the items assigned to it by the General Assembly in resolution 50/27.

1. Question of review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space

118. The Committee noted that, in accordance with General Assembly resolution 50/27 and as reflected in the report of the Legal Subcommittee (A/AC.105/639, paras. 20-26), the Subcommittee had considered the item relating to the review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space, adopted by the General Assembly in its resolution 47/68.

119. The Committee agreed that the Principles would remain valid for now and that the Scientific and Technical Subcommittee should consider the need for

revision in the light of changing technology before the Legal Subcommittee or the Committee undertook any actual revision.

120. The Committee noted that the Legal Subcommittee (A/AC.105/639, para. 24) had agreed that, at the present time, revision of the Principles was not warranted and that therefore it should not open discussion of that item during its thirty-fifth session.

121. The Committee endorsed the recommendation of the Legal Subcommittee (A/AC.105/639, para. 25) that consideration of the Principles by its Working Group on agenda item 3 should again be suspended for one year, pending the results of the work in the Scientific and Technical Subcommittee, without prejudice to the possibility of reconvening the Working Group if, in the opinion of the Legal Subcommittee, sufficient progress was made in the Scientific and Technical Subcommittee at its thirty-fourth session, in 1997, to warrant the reconvening of the Working Group by the Legal Subcommittee. The Committee also endorsed the recommendation that the item concerning nuclear power sources should be retained on the agenda of the Legal Subcommittee to give delegations an opportunity to discuss it in the plenary (ibid., para. 26).

2. Matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union

122. The Committee noted that, in accordance with General Assembly resolution 50/27, the Legal Subcommittee, through its Working Group on agenda item 4, under the chairmanship of E. Curia (Argentina), had continued to consider matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit.

123. The Committee noted the work carried out by the Legal Subcommittee and the Working Group, as reflected in their reports (A/AC.105/639, paras. 27-35 and annex I).

124. The Committee noted that a variety of views had been expressed on the question of the definition and delimitation of outer space. Those views were elaborated on and reiterated during the current session of the Committee.

125. Some delegations reiterated the view that a conventionally defined boundary between airspace and outer space was needed and that the Legal Subcommittee should continue to consider the question, with a view to establishing such a boundary. In that regard, the view was expressed that a delimitation between airspace and outer space was necessary in order to clearly establish which activities would be governed under the sovereignty of States and which under the res communis omnium. Other delegations reiterated the view that the need for such a definition or delimitation had not yet been established and that attempts to establish prematurely a boundary between airspace and outer space might complicate and impede progress in the peaceful exploration and use of outer space. Still other delegations noted that the lack of the definition/delimitation of outer space had not precluded international cooperation in the area of sharing of frequencies and orbital positions which had been established in a satisfactory manner by ITU.

126. The Committee noted that, at the thirty-fourth session of the Legal Subcommittee, the Working Group on agenda item 4 had finalized the text of a questionnaire on possible legal issues with regard to aerospace objects and that States members of the Committee had been invited to give their opinions on those matters (A/AC.105/607 and Corr.1, para. 38). The Committee also noted that, in response to that invitation, the Legal Subcommittee had had before it, at its thirty-fifth session, a document entitled "Questionnaire on possible legal issues with regard to aerospace objects: replies from Member States" (A/AC.105/635 and Add.1 and 2). The Committee took note of the useful and constructive discussion that had taken place on that matter in the Legal Subcommittee.

127. The view was expressed that it might be necessary to put aside consideration of the definition and delimitation of outer space for the time being in order to provide more time to the Legal Subcommittee to intensify its efforts with regard to discussions on the geostationary orbit and aerospace objects. That delegation also expressed the view that a comprehensive analytical report could be prepared on issues associated with aerospace objects, especially in the light of the replies that had been received from Member States to the questionnaire on possible legal issues with regard to aerospace objects. The view was also expressed that the Legal Subcommittee should continue to consider jointly the study of the definition and delimitation of outer space and the legal status of the geostationary orbit.

128. The Committee agreed with the recommendations of the Working Group on agenda item 4, endorsed by the Legal Subcommittee at its thirty-fifth session (A/AC.105/639, para. 35), that the Secretariat should encourage those States members of the Committee that wished to submit replies to the questionnaire to do so as early as possible, and that the Secretariat should prepare, in time for the thirty-sixth session of the Legal Subcommittee, a comprehensive analysis of the replies to the questionnaire that had been received, in order to assist the Working Group in its deliberations.

129. The Committee took note of the deliberations on the question of the geostationary orbit as contained in the report of the Legal Subcommittee. The Committee noted that an exchange of views had taken place on that subject, particularly on the basis of the ideas formulated in a working paper entitled "Some considerations concerning the utilization of the geostationary satellite orbit" (A/AC.105/C.2/L.200 and Corr.1), submitted by Colombia to the Legal Subcommittee at its thirty-fifth session (A/AC.105/639, annex III, sect. A). The Committee also noted that the exchange of views on the working paper had been productive.

130. Some delegations noted that, pursuant to resolution 18 of the plenipotentiary conference of ITU held at Kyoto, Japan in 1994, ITU had been given the task of conducting a review of ITU procedures to assign orbital positions and frequencies. Those delegations expressed the view that the results of that review, due in February 1997, should be taken into consideration by the Legal Subcommittee and the Working Group on agenda item 4. The view was also expressed that, until matters on the allocation of orbital positions and frequency bands were discussed at the 1997 World Radiocommunication Conference and the 1998 World Telecommunication Development Conference, those matters should be left to ITU.

131. Some delegations reiterated the view that the geostationary orbit, because of its particular characteristics, required a special, sui generis, legal regime to regulate access and utilization by all States, taking into account the needs

of developing countries. Those delegations expressed the view that such a legal regime should also take into consideration the particular geographical situation of the equatorial countries.

132. Some delegations reiterated the view that the roles of ITU and of the Legal Subcommittee were complementary and that the Subcommittee could contribute to the establishment of a special legal regime to regulate the use of the geostationary orbit. Others reiterated the view expressed in paragraph 130 above that ITU was the appropriate body to address questions concerning the use of the geostationary orbit and was addressing those questions effectively.

133. The Committee recognized that space debris was a cause for concern in the geostationary orbit, as well as in lower orbits. Some delegations expressed the view that the topic of space debris should be included in the agenda of the Legal Subcommittee. Those same delegations also expressed the view that the Legal Subcommittee could concentrate on an exchange of information regarding legal implications associated with space debris, by beginning a preliminary review of existing norms in international law applicable to space debris. Such a preliminary review might provide useful information on the status of the law for the Scientific and Technical Subcommittee's experts dealing with that matter.

134. Other delegations expressed the view that it would be premature to discuss the issue of space debris in the Legal Subcommittee in view of the many technical issues that needed to be discussed in the Scientific and Technical Subcommittee, and that any recommendations resulting from the latter Subcommittee's work, begun in 1995, should be awaited. Some of those delegations also noted that the aim of the work on the item should be to concentrate on discussing the scientific and technical problems associated with space debris with a view to assimilating knowledge in order to determine whether, and if so what, legal provisions would be required.

135. The Committee agreed with the recommendation of the Working Group on agenda item 4, endorsed by the Legal Subcommittee (A/AC.105/639, para. 35), that the Secretariat, in cooperation with the ITU secretariat, should provide, for the thirty-sixth session of the Subcommittee, an analysis of the compatibility of the approach contained in working paper A/AC.105/L.200 and Corr.1 with the existing rules and procedures of ITU relating to the use of the geostationary orbit.

136. The Committee recommended that the Legal Subcommittee should continue its consideration of the item at its thirty-sixth session, in 1997.

3. Consideration of the legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interests of all States, taking into particular account the needs of developing countries

137. The Committee noted that, in accordance with General Assembly resolution 50/27, the Legal Subcommittee, through its Working Group on agenda item 5, under the chairmanship of R. González (Chile), had continued to consider the legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interests of all States, taking into particular account the needs of developing countries.

138. The Committee noted the constructive work carried out by the Legal Subcommittee and the Working Group on item 5, as reflected in their reports (A/AC.105/639, paras. 36-42 and annex II).

139. The Committee took note with satisfaction of the useful and constructive discussion based on two working papers (A/AC.105/C.2/L.182/Rev.3 and A/AC.105/C.2/L.197/Rev.1) submitted to the Legal Subcommittee at its thirty-fifth session, in 1996 (A/AC.105/639, annex III, sects. B and C).

140. The Committee noted with satisfaction that the Chairman of the Working Group on agenda item 5 had submitted a working paper (A/AC.105/C.2/L.202) containing a consolidated text produced by the sponsors of working papers A/AC.105/C.2/L.182/Rev.3 and A/AC.105/C.2/L.197/Rev.1, as a result of extensive informal consultations.

141. The Committee, at its thirty-ninth session, held informal consultations on the basis of that consolidated text. During the consultations, the Chairman of the Working Group submitted a text containing a draft Declaration for consensus recommendation by the Committee for adoption by the General Assembly (A/AC.105/L.211).

142. The Committee was able to reach consensus on the basis of the Chairman's text. The consensus text, as approved by the Committee, is attached as annex IV to the present report.

143. The Committee recommended that the General Assembly, at its fifty-first session, adopt the declaration on international cooperation in the exploration and use of outer space for the benefit and in the interests of all States, taking into particular account the needs of developing countries, as set out in annex IV to the present report.

4. Other matters

144. The Committee noted that, in accordance with its request 5/ and that of the General Assembly in paragraph 12 of resolution 50/27, the Legal Subcommittee had reviewed, at its thirty-fifth session, its requirement for summary records with a view to determining whether it might be possible to utilize verbatim (unedited) transcripts at its subsequent sessions and to consider under what circumstances there might be a need to revert to summary records should a decision be taken to utilize verbatim (unedited) transcripts.

145. The Committee endorsed the recommendation of the Legal Subcommittee that, beginning with its thirty-sixth session, in 1997, it should be provided with verbatim (unedited) transcripts of its sessions in lieu of summary records (A/AC.105/639, para. 44).

146. The Committee noted that the Chairman of the Legal Subcommittee had conducted further informal, open-ended consultations with all members of the Subcommittee on the working methods of the Subcommittee, including the consideration of possible new items for its agenda. The views of the Subcommittee on the matter are contained in its report (A/AC.105/639, paras. 46-57).

147. During the deliberations of the Committee on possible new items for the agenda of the Legal Subcommittee, some delegations expressed the view that once

agenda item 5 had been concluded, it would be possible for the Subcommittee to address other important space-related issues.

148. Some delegations expressed the view that the Legal Subcommittee, at its thirty-sixth session, in 1997, should include in its agenda a new item entitled "Review of the status of the five international legal instruments on outer space".

149. Some delegations expressed the view that the Legal Subcommittee, at that session, should include in its agenda a new item entitled "Review of existing norms of international law applicable to space debris". Other delegations expressed the view that it would be premature to do so and that the Scientific and Technical Subcommittee needed to be given sufficient opportunity to assess the problem of space debris appropriately before the issue could be considered by the Legal Subcommittee.

150. Some delegations expressed the view that the Legal Subcommittee, at the same session, should include in its agenda a new item entitled "Comparison of the norms of space law and those of international environmental law".

151. Some delegations expressed the view that the Legal Subcommittee could, at that session, begin a comparative study of the provisions of the law of the sea and international space law. Some delegations expressed the view that the Legal Subcommittee could begin a review of the Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting (General Assembly resolution 37/92, annex, of 10 December 1982) and the Principles Relating to Remote Sensing of the Earth from Outer Space (General Assembly resolution 41/65, annex, of 3 December 1986), with a view to possibly transforming those texts to treaties in the future.

152. The Committee recommended that the Legal Subcommittee, at the same session, should continue its informal consultations with a view to coming up with a list of annotated items agreed upon by consensus that could be considered by the Committee at its fortieth session for possible inclusion in the agenda of the Subcommittee. The Committee further agreed that each proposed item should have a multi-year work plan that would address, among other things, the objectives of the work to be undertaken, any reports to be provided by the Secretariat and Member States and the possible end-product.

D. Spin-off benefits of space technology: review of current status (agenda item 8)

153. In accordance with paragraph 42 of General Assembly resolution 50/27, the Committee continued its consideration of spin-off benefits of space technology.

154. The Committee agreed that spin-offs of space technology were yielding substantial benefits in many fields and took note of the efforts in many Member States to develop such spin-off benefits and to disseminate information on such activities to interested countries. It noted that spin-offs of space technology were providing, among other things, new techniques in industrial measurement and control, image and data processing, human health and telemedicine, computer systems, aviation, meteorology, robotics, power generation, special materials and chemicals, water treatment, public safety, consumer goods, manufacturing and refrigeration.

155. The Committee noted that recent spin-offs of space technology included a light-weight metal cutter for emergency rescue operations, an automotive assembly fastener, a catalyst to convert carbon monoxide to carbon dioxide, a portable ultraviolet indicator, a new greenhouse for agricultural crops, new foods and medicines and honeycomb fireproof insulation material.

156. The Committee noted that the importance of spin-off benefits was growing rapidly. It also noted the importance of international cooperation in developing spin-off benefits of space technology and in ensuring that all countries, in particular developing countries, had access to those benefits. The Committee agreed that dialogue and exchange of common experiences could assist all countries in applying space technologies for the solution of common problems.

157. The Committee reiterated the recommendation made at its thirty-sixth session, in 1993, 6/ that the United Nations Programme on Space Applications should consider devoting at least one of its training courses, seminars or expert meetings each year to the promotion of spin-off benefits from space. It expressed satisfaction that, pursuant to that recommendation, the Programme had organized the United Nations/United States of America International Conference on Spin-off Benefits of Space Technology: Challenges and Opportunities, held at Colorado Springs, United States, from 9 to 12 April 1996 (A/AC.105/642).

158. The Committee was of the view that space exploration would continue to yield significant benefits for all countries and that further mutually beneficial efforts should be made to promote space activities for sustainable development and for improvement in the quality of life on Earth.

159. The Committee noted that the conversion of military industries to productive civilian uses would facilitate the transfer and use of space technologies and their spin-off benefits. It also noted that efforts were under way in some Member States to use space technologies for that purpose.

160. The Committee agreed that developing countries, particularly those with space programmes, could make important contributions in that field. It also agreed that developing countries could facilitate consideration of the item by identifying those disciplines in which their most pressing needs could be addressed by space technology.

161. The Committee agreed that there was a need to examine ways of strengthening and enhancing international cooperation in the field of spin-off benefits of space technology by, inter alia, improving the access of all countries to spin-offs, particularly those by which the social and economic needs of developing countries could be addressed.

162. The Committee noted with interest the proposal of the Ukrainian delegation to utilize the Evpatoria Centre of Deep Science Communication as the basis for a new international centre for space research that could be used by the United Nations Space Applications Programme for its activities as a way of further strengthening international cooperation in the peaceful uses of outer space.

163. The Committee also agreed that micro-satellite technologies were particularly important in that regard as such technologies could provide substantial direct and spin-off benefits to countries at a lower cost than other satellite technologies.

164. The Committee agreed that in promoting spin-off benefits and effective space applications, particularly in the case of developing countries, it was important that the capacity to understand the technology and to develop it were considered to be of primary importance. It was of the view that developing countries should enhance their potential in basic and advanced research in order to promote capacity-building for space applications and to benefit from spin-offs of space technology.

165. The Committee recommended that it should continue its consideration of the item at its fortieth session, in 1997.

E. Other matters

1. Reports to the Committee

166. The Committee noted with appreciation the participation in its work and in that of its subcommittees of representatives of UNESCO, WHO, ITU, WMO, UNIDO, IAEA, ESA, the International Telecommunications Satellite Organization (INTELSAT), the Association of Space Explorers (ASE), COSPAR, the International Academy of Astronautics (IAA), IAF, the International Astronomical Union (IAU), ILA and ISPRS. The Committee expressed appreciation to those organizations that had submitted reports on their activities and requested interested organizations to continue to keep it informed of their activities relating to the peaceful uses of outer space.

167. The Committee recommended that the Secretariat invite Member States to submit annual reports on their space activities. In addition to information on national and international space programmes, the reports could include information in response to requests from the Working Group of the Whole of the Scientific and Technical Subcommittee, as well as information on spin-off benefits of space activities and other topics as requested by the Committee and its subsidiary bodies.

168. The Committee noted that the medium-term plan proposed by the Office for Outer Space Affairs for the period 1998-2001 had been distributed to the Scientific and Technical Subcommittee in document A/AC.105/C.1/1996/CRP.4.

2. Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space

169. The Committee welcomed the publication, Space Law: A Bibliography prepared by the Office for Outer Space Affairs in cooperation with the International Institute of Space Law (A/AC.105/636). The Committee also welcomed the updated publication, United Nations Treaties and Principles on Outer Space (A/AC.105/572/Rev.1).

170. The Committee recalled General Assembly resolution 50/27, in which the Assembly had recommended that the Scientific and Technical Subcommittee, at its thirty-third session, in 1996, should continue the work it had conducted at its thirty-second session on the subject of a third UNISPACE, the aim being to complete the development and refinement of a framework that would allow an evaluation of proposals by the Committee at its thirty-ninth session, and that that framework should allow for the consideration of all possibilities of achieving the final objectives of such a conference.

171. The Committee also recalled that the General Assembly, in the same resolution, had agreed that such a conference could be convened before the turn of the present century and that, prior to recommending a date for the conference, there should be a consensus recommendation on the agenda, venue and funding of the conference.

172. The Committee further recalled that the General Assembly, in the same resolution, had also agreed that, on the basis of the work to be conducted at the thirty-third session of the Scientific and Technical Subcommittee, the Committee, at its thirty-ninth session, should consider all issues related to the possible convening of a third UNISPACE conference, including its technical and political objectives, a detailed and sharply focused agenda, funding, timing and other organizational aspects, as well as whether the objectives of the conference could be achieved by other means, with a view to making a final recommendation to the General Assembly at that session of the Committee.

173. The Committee noted with satisfaction that the Scientific and Technical Subcommittee, through its Working Group of the Whole to Evaluate the Implementation of the Recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, had carried out the task entrusted to it by the General Assembly in paragraph 33 of resolution 50/27, and endorsed the views of the Subcommittee on the matter.

174. The Committee noted the agreement of the Scientific and Technical Subcommittee (A/AC.105/637, para. 185) that the report of the Working Group of the Whole in 1996 (A/AC.105/637, annex II) provided the basis for the Committee to carry out the task entrusted to it by the General Assembly.

175. Accordingly, the Committee discussed matters related to the convening of a third UNISPACE conference and matters related to possible alternative means of meeting its objectives. In fulfilling that task, the Committee took into account, in addition, the work of the Working Group of the Whole in 1995 (A/AC.105/605, annex II).

Recommendations

176. Having considered the report of the Scientific and Technical Subcommittee on its thirty-third session (A/AC.105/637), the Committee agreed that a Special Session of the Committee (UNISPACE III), open to all Member States of the United Nations, should be convened at the United Nations Office at Vienna, preferably in 1999 unless progress towards agreeing on an agenda at the Scientific and Technical Subcommittee at its thirty-fourth session made it more appropriate to consider the year 2000. The Special Session (UNISPACE III) would be for a period of up to 10 days.

177. The Committee also agreed that it would act as the Preparatory Committee for the Special Session and that the Scientific and Technical Subcommittee would act as the Advisory Committee. The Office for Outer Space Affairs would act as the executive secretariat of the Special Session (UNISPACE III).

178. The Committee, having noted that the Scientific and Technical Subcommittee, through its Working Group of the Whole, had advanced its work on the preparation of a possible agenda for the Special Session (UNISPACE III), requested the Advisory Committee, at its session in 1997, to finalize the agenda and agree on a specific date according to paragraph 176 above, for the Special Session (UNISPACE III), taking into account the objectives agreed upon by consensus in

the Working Group of the Whole and contained in its report (A/AC.105/637, annex II, paras. 19-24).

179. The Advisory Committee was also requested to work out the organizational aspects of the Special Session (UNISPACE III) and a schedule of events, such as workshops, poster sessions, trade exhibitions and other related activities, taking into account the need to have the widest possible participation, including the participation of private industry. In doing so, it should take fully into account the elements agreed upon for the organization of the Special Session (UNISPACE III), as reflected in the report of the Working Group of the Whole (A/AC.105/637, annex II, paras. 25-32).

180. The Committee also recommended that the Advisory Committee, at its session in 1997, should outline the desired form of participation of relevant international, regional and other governmental and non-governmental organizations in preparation for the Special Session (UNISPACE III), the goal being that all such organizations should have an opportunity to participate in both the preparatory activities and the Special Session (UNISPACE III).

181. The Committee agreed that all efforts should be made to limit the cost of the Special Session (UNISPACE III) to keep it within the existing resources for the Committee and its secretariat by reducing or curtailing the duration of the sessions of the Committee and its subsidiary bodies during the year of the Special Session (UNISPACE III). Additional activities might be undertaken using voluntary contributions from member States and international organizations, in cash or in the form of human or other in-kind resources.

182. The Committee recommended that, prior to the convening of the thirty-fourth session of the Scientific and Technical Subcommittee, in 1997, the Secretariat should be requested to provide delegations with details of the venue and other information relating to the Special Session (UNISPACE III), including the financial basis for reporting on the planning and execution of the Special Session (UNISPACE III), in order to assist the Scientific and Technical Subcommittee in its role as the Advisory Committee.

183. The Committee noted that, in order to assist the Scientific and Technical Subcommittee in 1997 with its work aimed at agreeing on an agenda for the Special Session (UNISPACE III) and beginning more detailed work in its role as the Advisory Committee for the Special Session (UNISPACE III), there was a need to provide the Subcommittee with some further guidelines.

184. There was also a need for the agenda of the Special Session (UNISPACE III) to be sufficiently detailed to allow the Scientific and Technical Subcommittee to invite international organizations to become involved in the planning and execution of the event and its preparatory activities, as well as in supporting the event in kind or financially. The international organizations to be invited would include organizations of the United Nations system, organizations having observer status with the Committee and other relevant intergovernmental and non-governmental organizations with space activities.

185. The invitation to Governments should be in the form of a note verbale from the Secretary-General.

3. Working methods of the Committee and its subsidiary bodies

186. In accordance with paragraph 9 of General Assembly resolution 50/27, the Committee reconvened the Working Group of the Whole, under the chairmanship of Peter Hohenfellner (Austria), to examine the working methods of the Committee and its subsidiary bodies. The Working Group held 3 meetings, between 5 and 10 June 1996.

187. At the first meeting of the Working Group, the Director of the Office for Outer Space Affairs made a statement, giving an overview of the origins of the Committee, the history, basis and application of the consensus procedure in the Committee and the General Assembly, the history and workings of the offices of the Committee and its two Subcommittees, a brief comparative analysis of the bureaux of other General Assembly committees and a general explanation on the issues of duration of sessions and records of the Committee and its two subcommittees.

188. On the question of the organization of its work, taking into account the proposals before it, the Working Group agreed that the following matters relating to the working methods of the Committee and its subsidiary bodies be examined: (a) composition and election of the offices of the Committee and its subsidiary bodies, and the issue of rotation; (b) issues regarding rules of procedure; (c) working methods of the Committee, the records of the Committee and its Legal Subcommittee and new agenda items; (d) duration of sessions; and (e) other issues, including rationalization and improvement of working methods. The question of consensus was also discussed.

189. Some delegations expressed the view that the cold war had affected the composition of the offices of the Committee and its two Subcommittees, and that it was time to reorganize the offices in the light of the new existing international political realities. Those and other delegations sharing the same views felt that the rules of procedure of the General Assembly, which provided for the election of officers on the basis of equitable geographical representation, as well as the principle of rotation regarding the election of the offices of the Committee and its Subcommittees, should be implemented as early as possible, and that the Secretariat should organize consultations among Member States with a view to preparing modalities of implementing those principles. Some of those delegations made specific proposals concerning the composition and distribution of offices of the bureaux.

190. The view was expressed that the bureau of the main Committee should have equitable geographical representation among the five geographical regions of the world in accordance with the rules of procedure of the General Assembly as well as rotation. That delegation also expressed the view that the Subcommittees should maintain a balanced composition of the offices among regional groups or groups of countries, not between East and West, but rather between developed and developing countries.

191. Some delegations expressed the view that although there was currently no pressing need for a change, there was some rigidity in the composition of the offices, and for that reason a pragmatic approach should be adopted, applying the principles of rotation and representation on a flexible basis.

192. Other delegations expressed the view that the existing structure of the offices of the Committee and its subsidiary bodies was acceptable and there was no need for a change. Those delegations stated that the specialized and complex work of the Committee required continuity and predictability.

193. Some delegations expressed the opinion that, in view of changes that had occurred since the formation of the Committee, changes in the working methods of the Committee might be necessary, such as changing the duration of sessions and streamlining the work of the Committee. Those delegations recommended that the Committee should follow the concept of a "common agenda", whereby it would adopt all measures aimed at allowing meetings to run to their natural length and that, in that regard, when planning meetings, the indicative schedule of work should reflect the expected duration of meetings. Some delegations expressed the view that the Committee and its two Subcommittees should reform their organization, rationalize their work and improve their working methods, with a view to improving effectiveness. Those delegations believed, therefore, that the Scientific and Technical Subcommittee could meet for two weeks, the Legal Subcommittee for one week and the Committee for one week. The view was expressed that, in principle, without casting into question the need to improve the effectiveness of the work of the Committee and, if necessary, to reduce the duration of the sessions of the Committee and its subsidiary bodies, such a measure should not result in reduction of the performance of the Committee and the Legal Subcommittee, and should not result, in any way, in the lessening of the leading role of the Committee with regard to the peaceful uses of outer space.

194. Other delegations expressed the view that the duration of meetings was related to work involving items on the agenda. Those delegations were of the view that there had been fruitful discussions on identifying new items and that shortening the sessions before concluding those discussions was premature. Some of those delegations expressed the view that the current duration of the sessions of the Committee and its subcommittees was acceptable and should be retained, but that every effort should be made on an ad hoc basis, and in a spirit of flexibility, as was currently the case, to conclude their sessions as early as possible.

195. With regard to the matter of consensus, there was general agreement that in the past consensus had served the Committee well and that it continued to do so considering the specialized nature of its work, bearing in mind the decision of the Committee in 1962 (A/AC.105/PV.2). Some delegations, however, questioned the validity of consensus when applied to procedural matters. The view was expressed that consensus should not be identified with unanimity or used to block general agreements.

196. The view was also expressed that there was no agreed definition of the term "consensus", and that although consensus should be retained in the Committee, it had to be ensured that consensus did not become a threat to the legality of the work of the Committee. Other delegations expressed the view that annex V of the rules of procedure of the General Assembly, which laid out the conclusions of the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly provided, in paragraph 104, for the application of the principle of consensus.

197. The Committee agreed that two factors that had contributed to a more efficient use of conference services were that delegations did not include, during the general exchange of views, a detailed oral presentation of their national space activities and that several agenda items had been opened for discussion simultaneously. It also agreed that there could be some degree of flexibility, without decreasing efficiency, and that representatives could be allowed preferably to provide in writing or speak briefly about outstanding issues on national activities.

198. Some delegations expressed the view that, in the interest of efficiency, the list of speakers for agenda items should be closed 24 hours after it had been opened. Other delegations expressed the view that opening several agenda items simultaneously was confusing and inconvenient since that practice did not make allowance for their experts to plan their attendance to the meeting of the Committee and its subcommittees properly.

199. Some delegations expressed the view that there was a need for change, the common goal being to improve efficiency, and that it was therefore necessary to focus on how the different views on that matter could be balanced.

200. Some delegations expressed the view that the reports of the Committee and its Subcommittees should be reduced in length to avoid duplication, and that the Committee could adopt the reports of its subsidiary bodies merely on the basis of a brief oral presentation of the reports.

201. Some delegations expressed the view that the reports of the Subcommittees were essential for the continuing work of the Committee and the Subcommittees, and also to inform States, the general public, and other interested institutions of the work being done.

202. The Chairman of the Committee, in summing up the discussions held on the working methods of the Committee, stated, on behalf of all members of the bureau, that they did not want to stand in the way of the work of the Committee and would step down as soon as a new bureau was agreed upon. The Chairman stated further that in order to provide a smooth and orderly transition from one bureau to another, he would undertake further inter-sessional informal consultations with the assistance of other members of the bureau and the Secretariat, among the members of the Committee. Such informal consultations could be held during the forthcoming session of the General Assembly and, if necessary, the forthcoming sessions of the Subcommittees with a view to reaching consensus, among other things, on the modalities of a new composition and election of bureaux of the Committee and its subsidiary bodies. The Chairman assured the Committee that all issues involved, such as geographical distribution, rotation, and other proposals made by delegations and groups of delegations, including the agenda, duration of sessions and other issues, including rationalization of working methods, would be taken fully into account in the framework of those informal consultations and that it was his clear intention to work towards reaching agreement prior to the fortieth session of the Committee.

203. The Committee entrusted its Chairman, with the assistance of the other members of the bureau and the Secretariat, to undertake inter-sessional informal consultations among the members of the Committee with the aim of reaching consensus decisions before the next session of the Committee on the Peaceful Uses of Outer Space on the modalities of establishing a new composition of bureaux keeping in view the principles of equitable geographical representation and rotation. The Committee further recommended that all proposals made by delegations and groups of delegations, including the need for agenda restructuring and an examination of the duration of the session, would be taken fully into account in the framework of those informal consultations.

4. Membership of the Committee

204. Some delegations expressed the view that the practice of sharing seats on a rotating basis with other permanent members of the Committee should be ended as

early as possible in view of the fact that it would be contradictory to emphasize the importance of continuity of the work of the Committee while maintaining that practice. Those delegations believed that the will and capacity of a State to contribute to the work of the Committee should be taken into account as elements in appointing members of the Committee and that, therefore, all rotating members should become full permanent members as early as possible.

5. Observer status

205. It was noted that the Planetary Society had applied for observer status with the Committee and that the related correspondence and statutes of that non-governmental organization had been circulated at the thirty-third session of the Scientific and Technical Subcommittee for the information of States members of the Committee.

206. The Committee decided to grant permanent observer status to the Planetary Society on the understanding that, in accordance with the agreement of the Committee at its thirty-third session concerning observer status for non-governmental organizations, 7/ the organization had consultative status with the Economic and Social Council.

6. Records of the Committee

207. The Committee noted that, in accordance with paragraph 11 of General Assembly resolution 50/27, beginning with its current session, it would be provided with unedited transcripts of its sessions in lieu of verbatim records. It was noted that the General Assembly, in resolution 50/206 B of 23 December 1995, had requested the Committee to keep it informed, through the Committee on Conferences, of the experience of that body regarding unedited transcripts.

208. The Committee on the Peaceful Uses of Outer Space noted that, pursuant to the request of the General Assembly in paragraph 12 of resolution 50/27, the Legal Subcommittee at its thirty-fifth session had reviewed its requirement for summary records. The Committee noted with satisfaction that, as a result of discussions held on the matter, the Subcommittee had recommended that, beginning with its thirty-sixth session, in 1997, it should be provided with verbatim (unedited) transcripts in lieu of summary records (A/AC.105/639, para. 44).

209. Welcoming the decision to introduce unedited transcripts to the main Committee and to the Legal Subcommittee, the view was expressed that a single report of the main Committee and the Legal Subcommittee provided a sufficient basis for further discussions and that the main Committee should continue striving to reduce costs, particularly unnecessary ones.

F. Future work

210. The Committee noted the views of the Scientific and Technical Subcommittee on the future role and work of the Subcommittee and endorsed the recommendations concerning the agenda for its thirty-fourth session, as reflected in the report on its thirty-third session (A/AC.105/637, paras. 191-194).

211. Regarding the agenda of the Legal Subcommittee, the Committee recommended that the Subcommittee, at its thirty-sixth session, should:

(a) Continue its consideration of the question of the review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space;

(b) Continue, through its Working Group, its consideration of matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of ITU;

(c) Continue its informal consultations with a view to coming up with a list of annotated items agreed upon by consensus that could be considered by the Committee at its fortieth session for possible inclusion in the agenda of the Subcommittee;

(d) Continue its consideration of other matters.

212. With regard to the item contained in subparagraph 211 (a) above, the Committee endorsed the recommendation of the Legal Subcommittee that the Working Group on Nuclear Power Sources should be suspended for one year, pending the results of the work in the Scientific and Technical Subcommittee, without prejudice to the possibility of reconvening the Working Group on that item if, in the opinion of the Legal Subcommittee, sufficient progress was made in the Scientific and Technical Subcommittee at its thirty-fourth session, in 1997, to warrant the reconvening of the Working Group by the Legal Subcommittee.

213. The Committee recalled its recommendation that the Legal Subcommittee, on a permanent basis, should rotate each year the order of consideration of substantive agenda items. However, it endorsed the recommendation of the Legal Subcommittee that the order of rotation should be suspended for the 1997 session and that those items should be considered in the same order as in 1996 (items 4 and 3).

214. The Committee took note of the measures that had been adopted initially by the Legal Subcommittee at its thirty-first session as well as additional measures agreed for the next session of the Subcommittee in order to improve the utilization of conference services. The Committee endorsed the agreement of the Legal Subcommittee that a similar organization of work would serve as the basis for organizing the work of the Subcommittee at its thirty-sixth session.

215. The view was expressed that the main Committee, at its fortieth session, should include the agenda item, "Election of officers and agenda for the next session".

G. Schedule of work of the Committee and its subsidiary bodies

216. The Committee indicated the following tentative timetable for 1997:

	Date	Site
Scientific and Technical Subcommittee	17-28 February 1997	Vienna
Legal Subcommittee	1-18 April 1997	Vienna
Committee on the Peaceful Uses of Outer Space	2-13 June 1997	Vienna

217. In accordance with paragraph 12 (k) of the report of the Legal Subcommittee (A/AC.105/639), every effort would be made to conclude the session of the Legal Subcommittee as early as practicable, the goal being to conclude the session in two weeks.

H. Tributes

218. On the occasion of the retirement of Jean Arets from ESA, the members of the Committee on the Peaceful Uses of Outer Space expressed their gratitude for his years of contribution to the successful work of the Committee and of the United Nations Programme on Space Applications.

219. The Chairman, on behalf of the Committee, expressed his condolences to the delegation of Greece on the untimely passing of Michel Moutsoulas, who had attended numerous sessions of the Committee and its Scientific and Technical Subcommittee and had provided much input to its work. That sentiment was echoed by a number of delegations.

220. The Committee expressed appreciation to Raimundo González of Chile, the Chairman of the Legal Subcommittee working group on agenda item 5, "Outer space benefits", for his excellent work over the years in leading the work of that group, which resulted in the adoption of the Outer Space Benefits Declaration by the Committee at its current session.

Notes

1/ See Report of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 9-21 August 1982 (A/CONF.101/10 and Corr.1 and 2).

2/ Official Records of the General Assembly, Fiftieth Session, Supplement No. 20 (A/50/20), para. 44.

3/ Ibid., Forty-eighth Session, Supplement No. 20 (A/48/20), annex.

4/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions Adopted by the Conference, resolution 1, annex II.

5/ Official Records of the General Assembly, Fiftieth Session, Supplement No. 20 (A/50/20), para. 181.

6/ Ibid., Forty-eighth Session, Supplement No. 20 (A/48/20), para. 119.

7/ Ibid., Forty-fifth Session, Supplement No. 20 (A/45/20), para. 137.

Annex I

STATEMENT BY THE CHAIRPERSON OF THE GROUP OF 77 IN VIENNA

The rules of procedure of the General Assembly provide for principles of equitable geographical representation and rotation to be followed in electing officers to the bureaux of various committees and subsidiary bodies of the United Nations.

Towards this end, the Group of 77 urges that the principles of rotation, equitable representation and transparency should prevail in future elections of the Committee on the Peaceful Uses of Outer Space and its subcommittees (A/AC.105/637, paras. 9 and 195).

In line with that position, the Group of 77, while attaching great importance to the work of the Committee on the Peaceful Uses of Outer Space, emphasizes once again the need for the application of these principles, particularly of rotation and equitable representation of different geographical regions to the bureaux of the Committee and its subsidiary bodies, as is the case in other bodies in the United Nations system.

The Group believes that these principles should be implemented as early as possible with an objective and constructive approach. Taking into account the relevant articles of the rules of procedure of the General Assembly, the Secretariat should organize consultation among Member States with a view to preparing outlines and modalities of implementing these principles, including the terms of offices and composition of the bureaux.

The Group of 77 in Vienna will be ready to contribute to the formulation of the modalities of these principles with respect to the bureaux of the Committee and its subsidiary bodies by putting forward its proposals.

Annex II

STATEMENT BY THE CHAIRMAN OF THE AFRICAN GROUP

I wish to congratulate you, Mr. Chairman, and the members of your bureau, including the Secretariat, on ensuring that the thirty-ninth session of the Committee kicked off successfully.

The Committee on the Peaceful Uses of Outer Space was created 26 years ago, during the era of the cold war. Its membership also comprised mainly countries of the first world of Western Europe and North America and the second world of Eastern Europe. To strike a balance in the bureau of the Committee between these two blocs, countries were elected to occupy the offices of Chairman and Vice-Chairman of the Committee respectively, and a third world country was appointed Rapporteur, posts which these countries have held for 26 years.

The end of cold war hostilities has since revolutionized international economic and political order, leading to the establishment of open markets and democracy in most parts of the world, and has made old enemies become new allies. To this end, what was tenable a few years back no longer holds today. This is one reason why the African Group finds the holding of office in a multilateral organization like the Committee by one country for so many years is a hardly justifiable departure from the rules of procedure of the functional bodies of the United Nations.

To this end, the African Group calls for a review of the bureau of the Committee on the Peaceful Uses of Outer Space on the following basis:

(i) Two additional posts of vice-chairmen be created in the bureau of the main committee to make its offices five, corresponding to the five regions of the world;

(ii) The offices of the bureau be equitably rotated among geographical regions of the world;

(iii) The offices of the bureau of the subcommittees be regarded as a package (three in scientific and technical and three in legal subcommittees) to enable these posts to go round the regions;

(iv) The office of the Rapporteur of the Legal Subcommittee be waived to allow for five posts to the five regions of the world.

The African Group further requests that the secretariat of the Committee work out the modalities on how and when to start allocating these offices in an equitable geographical order and to report to the Committee at its fortieth session on the actions taken.

Annex III

. CONFERENCE ROOM PAPER A/AC.105/1996/CRP.3/REV.1

A. Statement by the Republic of Korea on behalf of the Asian Group

The Asian Group has studied the statement made by the Legal Adviser of the United Nations Office at Vienna on the question of whether a member of the Committee on the Peaceful Uses of Outer Space is legally barred from proposing any additional items in the agenda of the meeting of the Committee (while considering the item "Adoption of the agenda" contained in the provisional agenda).

Not all members of the Asian Group are satisfied with the interpretation of the legal expert of the Secretariat. The Asian Group would accordingly like to request that the Secretariat refer the matter to the concerned legal authorities at United Nations Headquarters in New York and obtain their legal opinion expeditiously.

B. Communication received from the Office of Legal Affairs, New York

Rule 97 of the rules of procedure of the General Assembly provides that "Committees shall not introduce new items on their own initiative." The agenda items to be considered by the thirty-ninth session of the Committee on the Peaceful Uses of Outer Space, and its two Subcommittees, are as set out in General Assembly resolution 50/27 of 6 December 1995. In accordance with rule 97, the Committee may not introduce new items on its own initiative. It may, however, recommend to the General Assembly that new items be included in its agenda but such new items cannot be considered by the Committee or its Subcommittees until such time as the recommended items are approved or endorsed by the General Assembly.

Annex IV

TEXT OF THE DECLARATION RECOMMENDED FOR ADOPTION BY THE GENERAL ASSEMBLY AT ITS FIFTY-FIRST SESSION

DECLARATION ON INTERNATIONAL COOPERATION IN THE EXPLORATION AND USE OF OUTER SPACE FOR THE BENEFIT AND IN THE INTERESTS OF ALL STATES, TAKING INTO PARTICULAR ACCOUNT THE NEEDS OF DEVELOPING COUNTRIES

The General Assembly,

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its thirty-ninth session and the text of the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interests of All States, Taking into Particular Account the Needs of Developing Countries, as approved by the Committee and annexed to its report,

Bearing in mind the relevant provisions of the Charter of the United Nations,

Recalling notably the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,

Recalling also its relevant resolutions relating to activities in outer space,

Bearing in mind the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, and of other international conferences relevant in this field,

Recognizing the growing scope and significance of international cooperation among States and between States and international organizations in the exploration and use of outer space for peaceful purposes,

Considering experiences gained in international cooperative ventures,

Convinced of the necessity and the significance of further strengthening international cooperation in order to reach a broad and efficient collaboration in this field for the mutual benefit and in the interests of all parties involved,

Desirous of facilitating the application of the principle that the exploration and use of outer space, including the Moon and other celestial bodies, shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,

Adopts the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interests of All States, Taking

into Particular Account the Needs of Developing Countries, set forth in the annex to the present resolution.

Annex

DECLARATION ON INTERNATIONAL COOPERATION IN THE EXPLORATION AND USE OF OUTER SPACE FOR THE BENEFIT AND IN THE INTERESTS OF ALL STATES, TAKING INTO PARTICULAR ACCOUNT THE NEEDS OF DEVELOPING COUNTRIES

1. International cooperation in the exploration and use of outer space for peaceful purposes (hereafter "international cooperation") shall be conducted in accordance with the provisions of international law, including the Charter of the United Nations and the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies. It shall be carried out for the benefit and in the interests of all States, irrespective of their degree of economic, social or scientific and technological development, and shall be the province of all mankind. Particular account should be taken of the needs of developing countries.

2. States are free to determine all aspects of their participation in international cooperation in the exploration and use of outer space on an equitable and mutually acceptable basis. Contractual terms in such cooperative ventures should be fair and reasonable and they should be in full compliance with the legitimate rights and interests of the parties concerned as, for example, with intellectual property rights.

3. All States, particularly those with relevant space capabilities and with programmes for the exploration and use of outer space, should contribute to promoting and fostering international cooperation on an equitable and mutually acceptable basis. In this context, particular attention should be given to the benefit for and the interests of developing countries and countries with incipient space programmes stemming from such international cooperation conducted with countries with more advanced space capabilities.

4. International cooperation should be conducted in the modes that are considered most effective and appropriate by the countries concerned, including, inter alia, governmental and non-governmental; commercial and non-commercial; global, multilateral, regional or bilateral; and international cooperation among countries in all levels of development.

5. International cooperation, while taking into particular account the needs of developing countries, should aim, inter alia, at the following goals, considering their need for technical assistance and rational and efficient allocation of financial and technical resources:

(a) Promoting the development of space science and technology and of its applications;

(b) Fostering the development of relevant and appropriate space capabilities in interested States;

(c) Facilitating the exchange of expertise and technology among States on a mutually acceptable basis.

6. National and international agencies, research institutions, organizations for development aid, and developed and developing countries alike should consider the appropriate use of space applications and the potential of international cooperation for reaching their development goals.

7. The Committee on the Peaceful Uses of Outer Space should be strengthened in its role, among others, as a forum for the exchange of information on national and international activities in the field of international cooperation in the exploration and use of outer space.

8. All States should be encouraged to contribute to the United Nations Programme on Space Applications and to other initiatives in the field of international cooperation in accordance with their space capabilities and their participation in the exploration and use of outer space.

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